

MIDNIGHT LAW CLASS

I grabbed an absentee ballot and application and headed off to Columbus, Ohio.

By the time I got to Professor Fitrakis's home, it was past midnight. An ordinary guy would have slammed the door in my face. But Fitrakis is *extraordinary*, committed to voting rights law 24/7.

I flashed the “impossible” absentee ballot forms and he directed me to his substantial law library. Despite the hour, the professor gave me a lesson on why absentee ballots have never been given out at voting stations—and the dangers to these votes from Dayton:

You vote absentee, they can pick through the absentee and say, “They didn’t fill this out all the way, they didn’t sign here, they didn’t initial there,” and thus toss the absentee. Essentially they’re treating the absentee like a second-class provisional ballot. None of that can be done in regular early voting.

Husted had thought of everything. What if Black folk withstood frostbite waiting over five hours? They did. I did not see a single voter abandon the line. But Husted had prepared for their persistence. That explained why he barred these voters from using the voting machines.

Because, once a vote is cast on a machine, the vote is instantly counted.

But when a vote is cast on paper, especially an “absentee” ballot, the chance of it getting counted is, well, as Professor Fitrakis said, a crapshoot.

Turdblossom Rove knew—even if his Fox News buddies didn’t—that if Husted disqualified about 20% of the early-voting “absentee” Black ballots on technical grounds, Rove would realize his last, best hope of defeating Obama (and defeating the voters). Fitrakis went to court, I went on air, and the mass disqualification of Ohio votes—which worked the trick in 2004—failed in 2012. Barely.



Why am I talking about Ohio 2012? Republicans are conservatives. They find new ways to block voters, but they conserve the old tricks too.

In November 2016, I returned to Freedom Faith Missionary Baptist. Back in the van with the Souls to Polls. The line was down . . . to three hours. And at the end of the wait, once again, “absentee” ballots for the Souls. Trump won Ohio. Congratulations.

And in 2020 . . . ?